

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be “material to patentability as defined in 37 CFR 1.56.”

Examiner's Amendment/Interview Summary

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview and email communication to attorney of record, **Mark Friedman on 01/12/2010** and agreed to accept the following changes.

The following amendments apply to the claims of 12/10/2009:

Examiner's Amendments/Comments

Claim 40, line 2

Insert the term “root canal” between the terms “a channel”

Claim 40, line 6

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Delete the term "lattice" and replace it with "lattice-like"

Claim 48, line 2

Insert the term "root canal" between the terms "a channel"

Claim 48, line 6

Delete the term "lattice" and replace it with "lattice-like"

Claim 48, line 15

Delete the term "lattice" and replace it with "lattice-like"

Claim 83, line 2

Insert the term "root canal" between the terms "a channel"

Claim 83, line 6

Insert the term "lattice-like" between the terms "open structure"

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Claims 40-41, 43-44, 48-82, 77, 79-91 are allowed. The art of record does not teach or render obvious an orthodontic instrument having a hollow flexible member having an open lattice-like structure including longitudinal elements extending parallel to the longitudinal axis and connecting elements interconnecting between the longitudinal elements and the flexible member conforms to an internal shape of a root canal in order to removing materials from a wall of a root canal channel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOGESH PATEL whose telephone number is (571)270-3646. The examiner can normally be reached on 8:00 to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cris Rodriguez can be reached on 571-272-4964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YOGESH PATEL/
Examiner, Art Unit 3732

/Ralph A. Lewis/
Primary Examiner, Art Unit 3732